

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Aug 30, 2024**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Joseph Leroy Martinez

Case Number: 0980 2:22CR00048-SAB-1

Address of Offender: [REDACTED] Omak, Washington 98841

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: May 9, 2023

Original Offense: Assault Resulting in Serious Bodily Injury in Indian Country, 18 U.S.C. §§ 113(a)(6),
1153Original Sentence: Prison - 21 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Michael James Austen Ellis

Date Supervision Commenced: October 21, 2023

Defense Attorney: Nathan Poston

Date Supervision Expires: October 20, 2026

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 05/09/2024.

On October 26, 2023, Mr. Martinez reviewed and signed the judgment for case number 2:22CR00048-RMP-1, which outlines the supervised release conditions. He was provided a copy and acknowledged an understanding of his obligations to the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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5	<u>Special Condition #6:</u> You must abstain from the use of illegal controlled substances, and shall submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
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Supporting Evidence: It is alleged that Mr. Martinez violated the conditions of his supervised release by using cocaine on or about August 22, 2024.

On August 22, 2024, the undersigned met with Mr. Martinez at his residence and a urinalysis was collected. The urinalysis tested presumptive positive for cocaine and Mr. Martinez denied that he knowingly used cocaine but did state that he was given a piece of gum by a friend the day prior that made his mouth feel "funny". The urinalysis was sent for confirmation in which this sample returned positive for the presence cocaine on August 26, 2024. After the sample returned positive for cocaine Mr. Martinez maintained that he did not knowingly use cocaine.

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Re: Martinez, Joseph Leroy

August 30, 2024

Page 2

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 30, 2024

s/Jonathan C. Bot

Jonathan C. Bot
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

8/30/2024

Date